

Practitioner's Docket No. 5600-2**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Robert Kay

Application No.: 09 / 914,366

Group No.: 2644

Filed: January 30, 2002

Examiner:

For: NOVELTY ANIMATED DEVICE WITH SYNCHRONISED AUDIO OUTPUT, AND
METHOD FOR ACHIEVING SYNCHRONISED AUDIO OUTPUT THEREIN

Assistant Commissioner for Patents

Washington, D.C. 20231

ATTENTION: Group Director, Group 2644 (M.P.E.P. § 1002.02(c))**PETITION TO MAKE SPECIAL FOR NEW APPLICATION
UNDER M.P.E.P. § 708.02, VIII****RECEIVED****MAY 22 2003**

NOTE: See M.P.E.P. § 708.02, 7th ed.

Technology Center 2600

1. Petition

Applicant hereby petitions to make this new application, which has not received any examination by the Examiner, special.

2. Claims*(check and complete all applicable items (a) through (c))*

- (a) ☐ All the claims in this case are directed to a single invention.
- (b) ☒ If the Office determines that all the claims presented are not obviously directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.
- (c) ☐ If claim(s) _____ are found not to be examinable in this case with claim(s) _____, then applicant hereby elects claim(s) _____ for the prosecution of this case.

3. Search*(check all applicable items (d) through (g))*

A search has been made by

- (d) ☐ the inventor
- (e) ☐ attorney
- (f) ☐ professional searcher
- (g) ☒ foreign patent office

in the following: U.K. Patent Office
GB 0111909.8 Patent Application**RECEIVED****JUN 8 1 2003**

TECHNOLOGY CENTER 3700

(complete all applicable items below)

- (h) ☐ field of search: WPI; EPODOC; JAPIO
class(es) INT CL (Ed. 7) subclass(es) G03B; H04N; G2E
UK CL (Ed. S)
- (i) ☐ publications:
- (j) ☐ foreign patents:
- (k) ☒ search by corresponding foreign patent office or at the former International Patent Institute at The Hague, Netherlands.

4. Copy of references

There is submitted herewith a copy of the references deemed most closely related to the subject matter encompassed by the claims.

☒ Also attached are Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

5. Detailed discussion of the references

There is submitted herewith a detailed discussion of the references, which discussion particularly points out how the claimed subject matter is distinguishable over the references.

NOTE: As to all other references not treated above, an Information Disclosure Statement should be filed.

☒ Also attached is an Information Disclosure Statement.

6. Fee

The fee required by 37 C.F.R. 1.17(i) (\$130.00) is to be paid by

- ☒ Attached is a ☒ check ☐ money order in the amount of \$ 130.00
- ☐ Authorization is hereby made to charge the amount of \$ _____
- ☒ to Deposit Account No. 23-3030
- ☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should **not** be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Reg. No.: 26,207

Tel. No.: (317) 634-3456

Customer No.:



SIGNATURE OF PRACTITIONER

John V. Moriarty

(type or print name of practitioner)

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(Petition to Make Special for New Application under M.P.E.P. § 708.02, III [9-15]—page 2 of 2)



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Patents Directorate**

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RS FMD
[Signature]
**Your Reference: 8786-GB
Application No: GB 0111909.8**

10 July 2001

Dear Sirs

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MAY 22 2003

Technology Center 2600

**Patents Act 1977:
Combined Search and Examination Report under Sections 17 and 18(3)**

Latest date for reply: 24 May 2002

I enclose two copies of my search and examination report and a copy of the citations.

By the above date you should either file amendments to meet the objections in the report or make observations on them. If you do not, the application may be refused.

Accelerated publication

At your request, publication of your application is being accelerated. Provided you have met all formal requirements, preparations for publication will be completed shortly and you will receive a letter informing you of the publication number and date of publication.

Amendment/withdrawal

Please note that, due to the acceleration of the procedure, it is unlikely that there will be sufficient time to file amended claims for inclusion with the published application, or to withdraw the application to prevent publication.

18 JUL 2001

†Use of E-mail: Please note that e-mail should be used for correspondence only.



INVESTOR IN PEOPLE

Application No: GB 0111909.8

Page 2

10 July 2001

Yours faithfully

Andrew P Jenner
Examiner

Important information about combined search and examination

I also ask that you take note of the following points. These might have a bearing on the future stages of your application because the examination report has been sent to you before your application has been published.

- (a) You may file voluntary amendments before making a full response to my examination report. We will publish with your application any new or amended claims you file voluntarily or as a full response, provided that they are received before preparations for publication are completed. It would help us when you file amendments before publication if you could **prominently indicate** in a covering letter whether or not the amendments are intended as a full response to the examination report.
- (b) If you file a full response to the examination report before your application is published I will consider it as soon as possible. However, if this would disrupt the publication of your application, I would have to delay taking any action until the application had been published. This delay could be up to 3 months, depending upon when we receive your response.
- (c) There is another situation when there might be a delay between you filing a full response and the Patent Office responding to it. This would arise if you met all my objections but your application had not or had only recently been published. I could not report the outcome of my re-examination until I was satisfied that the search was complete for documents published before the priority date of your invention and that anybody interested in the application has had three months following publication of the application to make observations on the patentability of your invention.
- (d) Provided that the requirements of the Act have been met, I can send your application to grant as early as three months after publication. Before doing so I will bring the original search up to date and raise with you any further objection that might result from this top-up search. However, there is a possibility that at that time I may not have access to all the patent applications published after the priority date of your invention and of possible relevance to your application. If this is the case I would have to complete the search after grant and if necessary raise any new found novelty objection then.



INVESTOR IN PEOPLE

Application No: GB 0111909.8
Claims searched: 1 - 35

Examiner: Andrew P Jenner
Date of search: 9 July 2001

Patents Act 1977 Search Report under Section 17

Databases searched:

UK Patent Office collections, including GB, EP, WO & US patent specifications, in:

UK Cl (Ed.S): G2E

Int Cl (Ed.7): G03B, H04N

Other: Online: WPI, EPODOC, JAPIO
Internet: <http://www.stereoscopy.com>

Documents considered to be relevant:

Category	Identity of document and relevant passage	Relevant to claims
A	GB 2312349 A BURDER - see lines 12 - 14 of page 2	
A	GB 2304252 A BURDER - see paragraph 3 of page 8	
A	EP 0982701 A2 EASTMAN KODAK COMPANY	

X	Document indicating lack of novelty or inventive step	A	Document indicating technological background and/or state of the art.
Y	Document indicating lack of inventive step if combined with one or more other documents of same category.	P	Document published on or after the declared priority date but before the filing date of this invention.
&	Member of the same patent family	E	Patent document published on or after, but with priority date earlier than, the filing date of this application.



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Your ref: 8786-GB
Application No: GB 0111909.8
Applicant: Virtual Video UK Ltd.

Examiner: Andrew P Jenner
Tel: 01633 813736
Date of report: 10 July 2001

Latest date for reply: 24 May 2002

Page 1/1

Patents Act 1977

Combined Search and Examination Report under Sections 17 & 18(3)

Clarity

1. Paragraph 2 of page 1 casts doubt on the intended scope of the invention as it is not clear as to what is meant by 'any image display'. Claim 1, which defines the intended scope of the invention, and independent claim 14 both state that a lenticular display must be used.